REMARKS

Claims 1-11, 13-17, and 19-23 are pending in the application. Claims 1-11, 13-17, and 19-23 have been rejected. Claims 1, 6, 11, and 17 are being amended. No new matter is being introduced by way of the amendments.

Applicants' attorney, Mary Lou Wakimura, Reg. No. 31,804, conducted a telephonic interview with Examiner Jeffrey R. Swearingen on December 19, 2005. Applicants thank Examiner for conducting the Examiner's interview.

Claims 1-23 have been rejected under 35 U.S.C. 101 because the claimed invention is in violation of the CAN-SPAM Act of 2003. The CAN-SPAM Act of 2003 covers "any electronic mail message the primary purpose of which is the commercial advertisement or promotion of a commercial product or service." Section 3(2)(A).

An embodiment of Applicants' invention, as set forth in the specification as originally filed and in now amended base claims 1 and 6, obtains a current working email address of a subject person based on information about the subject person publicly available on a computer network, such as the Internet. To accomplish this, Applicants provide a system 40 that includes crawlers 11 that visit and traverse websites in search of webpages that contain publicly available information regarding people. Fig. 1; Specification, page 2, lines 16-18 and page 11, lines 15-16. The crawlers 11 return webpages to an extractor 41 to extract the publicly available information about people and companies. Specification, page 11, lines 19-21. A loader 43 loads the extracted information into a database 45. Specification, page 11, lines 22-24. A post-processor 51 automatically (i) deduces or interpolates potential email addresses of a subject person named in the database 45 but for whom email address information is missing from the database 45, and (ii) verifies the potential email addresses. Specification, page 25, lines 8-9 and page 26, line 17. The post-processor 51 verifies the potential email addresses by sending test email messages using the potential email addresses to an email server to determine how the mail server responds to the test email messages. Specification, page 26, lines 17-23.

The test email messages of Applicants' invention are not the type of spam email messages that Congress intended to prohibit in the CAN-SPAM Act of 2003. In fact, Applicants' invention is far from a "dictionary attack" prohibited by the CAN-SPAM Act of 2003. Applicants' invention deduces or interpolates potential email addresses for a single subject

person. In contrast, the dictionary attack aims at generating potential email addresses for multiple persons.

The CAN-SPAM Act of 2003 covers email messages having the primary purpose of advertising or promoting commercial products or services to consumers. However, the intended recipient of test email messages of Applicants' invention is an email server. Applicants' invention uses the email server's response to the test email messages to determine whether a potential email address is active. For example, an unrecognized recipient reply may be sent back from an email server if a potential email address is incorrect. A test email message sent to an email server does not have a purpose of advertising or promoting a commercial product or service. Finally, the phrase "test email message" denotes an email message that determines how the email message propagates through an email system.

Claims 1 and 6 are being amended to make clear that an embodiment of Applicants' invention does not advertise or promote commercial products or services ("[A]utomatically (i) deducing or interpolating potential email addresses . . . and (ii) verifying the potential email addresses by sending test email messages using the potential email addresses to an email server to determine a response of the email server to the test email messages."). For the foregoing reasons, claims 1 and 6 as now amended comply with the requirements (i.e., are not literally or necessarily in violation) of the CAN-SPAM Act of 2003. Thus, the requirements of 35 U.S.C. 101 are met and this rejection of claims 1 and 6 should be withdrawn.

Claims 1 and 6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Henrick et al. (U.S. Pat. No. 6, 377,936) ("Henrick") in view of Miller (Online Search Secrets, 173-179).

Henrick discloses a method for conducting targeted marketing of Internet users. According to this method, data mining is performed on customers, including the sites that they visit, to determine their identity and their likes and dislikes. Based on the data mining, the Internet Services Provider (ISP) generates a customer mailing list from email addresses known by the ISP. The ISP then emails messages to customers on the customer mailing list.

Miller discloses techniques for searching for email addresses on the Internet. Miller specifically discloses that users may disguise their real addresses by adding the word "nospam" to the email address. According to Miller, one may obtain the correct address by removing the word "nospam".

Neither Henrick nor Miller deduce or interpolate potential email addresses of a person named in a database whose email information is missing as claimed in now amended Claims 1 and 6. In addition, neither Henrick nor Miller disclose verifying the potential email addresses by sending test email messages using the potential email addresses to an email server to determine a response of the email server to the test email messages as claimed in now amended Claims 1 and 6. Henrick generates a customer email list and sends email messages to customers on that list. However, Henrick does not deduce or interpolate potential email addresses, but uses the email address information known by the ISP. Miller describes methods for searching for email address information on the Internet, but does not describe deducing or interpolating potential email addresses of persons whose email address information is not available on the Internet.

Claims 1 and 6 as now amended distinguishes Applicants' invention from Henrick and Miller ("[A]utomatically (i) deducing or interpolating potential email addresses . . . and (ii) verifying the potential email addresses by sending test email messages using the potential email addresses to an email server to determine a response of the email server to the test email messages."). Since neither Henrick nor Miller, alone or in combination, teach, suggest, or otherwise make obvious, the limitations of base claims 1 and 6 as now amended, Applicants respectfully request that the rejection of claims 1 and 6 be withdrawn.

Claims 4 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Henrick in view of Miller and further in view of Mills (Australian Patent Abstract No. AU-A-53031/98).

Mills does not add to Henrick and Miller automatically deducing or interpolating and verifying potential email addresses. Because claims 4 and 9 depend from base claims 1 and 6, respectively, Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

Claims 5 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Henrick in view of Miller in view of Mills as applied to claim 4 and in view of Barroux (U.S. Patent No. 5,923,850).

As explained above, Henrick, Miller, and Mills, alone or in any combination, do not teach, suggest or otherwise make obvious the limitations of now amended base claims 1 and 6. Barroux does not add to Henrick, Miller, and Mills automatically deducing or interpolating potential email addresses and sending test email messages using the potential email addresses to an email server to determine a response of the email server to the email messages. Because

claims 5 and 10 depend from base claims 1 and 6, respectively, Applicants respectfully request that the rejection under U.S.C. 103(a) be withdrawn for at least the same reasons.

Claims 2-3 and 7-8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Henrick in view of Miller in view of Biliris et al. (U.S. Publication No. 2001/0009017) ("Biliris").

Biliris discloses a messaging system which does not require the explicit enumeration of mailing lists. Intended message recipients may be specified in a declarative address. A messaging server is coupled to an address resolution module which: (i) receives a declarative address associated with a message, (ii) resolves (i.e., changes or converts) the declarative address into at least one messaging address, and (iii) transmits the at least one messaging address to the messaging server. The address resolution module resolves or converts a declarative address by querying a database system.

Claim 2, like base claim 1 as now amended, recites "deducing . . . potential email addresses." Baliris does not teach, suggest, or otherwise make obvious deducing potential email addresses. Baliris instead discloses resolving or converting a declarative address into email addresses by querying a database of records having known messaging addresses.

Because claims 2-3 and 7-8 depend from base claims 1 and 6, respectively, Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

Claims 11, 13, 17, 19, and 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Knight (U.S. Patent No. 6, 493,703) in view of Feridun (U.S. Patent No. 6,336,139).

Knight discloses an electronic message board system that sorts content from discussion boards and/or news sites into subject matter areas, classes, and subclasses. Search robots may create, update or remove subject matter areas, classes, and subclasses. The search robots may also use feedback information from users of the online service to define and automatically create content subject matter areas that are of interest to such users.

Feridun discloses a method of event correlation using rules adapted to recognize a given pattern of one or more events indicative of a given condition. Abstract. If correlation criteria have been satisfied, a correlation rule may forward the correlated events to a software agent which aggregates or gathers together the resultant correlation events into some useful format.

Claims 11 and 17 have been amended to make clear that the integrator combines two records of potentially a same person into one record. Neither Knight nor Feridun discloses merging two records of potentially the same person into one record. Knight discloses a sorting mechanism and Feridun discloses aggregating or gathering together correlated events. The "sorting" and "aggregating" of Knight and Feridun, however, do not equate to combining or merging two records into one record as claimed in claim 11.

Moreover, neither Knight nor Feridun teach, suggest, or otherwise make obvious (i) an integrator for combining two records of potentially the same person into one record if the person's name and one of organization name and title is the same in the two records and (iii) a post processor which interpolates missing information from connected pieces of information as claimed in now amended base claim 11. Indeed, neither Knight nor Feridun conditions combining two records on whether a person's name and one of organization name and title is the same in the two records. And neither reference discloses a post-processor which interpolates missing information from connected pieces of information in a database as claimed in claim 11. Knight discloses search robots that use feedback information from users of the online service to define and automatically create content subject matter areas that are of interest to such users. However, Knight does not disclose interpolating missing information as claimed in claim 11. Feridun does not add to Knight interpolating missing information from connected pieces of information in a database as claimed in claim 11.

Because Knight and Feridun, alone or in combination, do not teach, suggest, or otherwise make obvious the limitations of now amended claim 11 ([A]n integrator . . . for combining two records of potentially a same person into one record if the person's name . . . and one of organization name and title is the same in the two records . . . and a post-processor . . . for . . . interpolating missing information."), Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn. Independent claim 17 includes similar limitations as claim 11; therefore, Applicants respectfully request that the rejection of claim 17 under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

Dependent claim 13 depends from now amended base claim 11 and dependent claims 19-20 depend from now amended base claim 17. As explained above, Knight and Feridun do not teach, suggest, or otherwise make obvious the limitations of base claims 11 and 17. Since claims 13 and 19-20 depend from base claims 11 and 17, respectively, Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

Claims 14 and 21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Knight and Henrick. As explained above, Knight and Henrick, alone or in combination, do not teach, suggest, or otherwise make obvious the limitations of now amended base claims 11 and 17 Because claims 14 and 21 depend from base claims 11 and 17, respectively, Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

Claims 15-16 and 22-23 have been rejected under 35 U.S.C. 103(a) being unpatentable over Knight, Henrick, in view of Baliris. As explained above Knight, Henrick and Baliris, alone or in any combination, teach, suggest or otherwise make obvious the limitations of base claims 11 and 17. Because claims 15-16 and 22-23 depend from base claims 11 and 17, respectively, Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (Claims 1-23) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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